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PELLETIER 13SWORN DECLARATION OF PHILIP PELLETIER

I, Philip Pelletier, certify as true and correct under pains and penalties of perjury and upon personal information and belief the contents of this sworn declaration.

1. I understand that Attorney Carr and his firm Shaheen & Gordon represent only the plaintiffs in this case and not me or any other party. He has clearly explained to me that his client's interests are opposed to mine, but I already understood that. Attorney Carr has not given me any legal advice other than to advise me of my right to secure counsel, whether it be generally to defend me in this lawsuit or even more narrowly related to the execution of this sworn declaration. He also specifically went over New Hampshire Rules of Professional Conduct Rule 4.3 with me. Being of sound mind I choose to prepare and execute this declaration pro se, and free of any duress or coercion.
2. On January 22, 2019, I was working as a police officer for the Berlin PD on paid detail, providing one-on-one supervision of Alfred Pilotte at the Androscoggin Valley Hospital.
3. I knew that Alfred had a disability in the form of his mental illness. More specifically I understood him to be a paranoid schizophrenic. When I took the pictures and videos of Alfred that are at issue, I knew that the conduct I was capturing was a byproduct of his disability. Further, I made the recordings and shared them as I did with others with indifference towards his disability.
4. Before the January 22, 2019 incident, Alfred was someone who was known throughout the entire PD and the hospital as someone who is a paranoid schizophrenic and who requires one-on-one supervision at the hospital when he was admitted. Moreover, there was an attitude of resentment towards Alfred, including in part because of his repeated admissions to the hospital on account of his mental illness, which required most of us to serve on these details, even when he would be there for weeks at a time.
5. There was an environment at the Berlin PD that it was OK to share information among each other and/or closely worked with staff at the hospital that was not otherwise appropriate to share, which seemed to me like it was at least in part because of the unique relationship we had where we would often encounter and work alongside each other. Over my years working there I was exposed to situations in which officers would share information with the staff there that they otherwise would not have or should have but for that relationship. It was well known throughout the PD that this was happening and that it had been happening for some time, but I am not aware of anything ever being done about it. This led me to develop the understanding that doing what I did on January 22, 2019 was not something that I would be disciplined for. There was also a general environment at the PD of being of the view that people like Alfred who are going through the IEA process have lesser rights than other citizens and so that also played a role in my thinking on January 22nd. This environment was true in similar contexts as well. For example, in advance of the annual PD meeting the Berlin PD asks for officers to submit "funny" body cam moments and then displays them at the meeting for people, some of

whom would never have otherwise have access to the footage and/or a legitimate reason to do so. There was also a common practice of officers viewing other officers' files for reasons that have nothing to do with our operations, including watching their videos with a similar attitude as the annual meeting.

6. Prior to this I was involved in a separate incident where I posted a picture of something work-related that I wasn't supposed to. Not much was done in response other than my corporal asking me to take it down. Between that incident and the incident at hand here I was involved in at least one other incident involving improper dissemination of my body cam footage but other than hearing some gossip about it no one ever approached me or disciplined me. I am not aware of any other officer ever being disciplined for sharing information inappropriately, even though as I have stated it is something I believed to be part of the general environment.
7. There was also an additional incident involving a citizen by the name of Jesse Chapman who lodged certain complaints related to my conduct towards him. As best as I understand the PD was fully aware of his allegations but I was never disciplined for it.

Executed on: 01/12/22


Philip Pelletier